

Remarks

In the office action the examiner stated that the coffee grinder claimed is anticipated by US 6,339,985 (Whitney). With respect to claims 7 -11 the examiner stated that these have been obvious over Whitney in view of US 4,759,274 (Schmidt).

Applicant respectfully disagrees with the examiner and request reconsideration. Applicant has amended the claims to clarify the wording of the claims to make clear the distinctions between the present disclosure and the prior art.

Whitney discloses a coffee maker including a coffee grinder. The coffee grinder comprises a coffee bean container with several compartments being arranged like a carousel (ref. figure 30, 31 and column 11, beginning line 43). Each of the containers of the container carousel has a bottom opening. The carousel is arranged within an outer housing and is arranged rotatably within this outer housing. The outer housing forms a closure for each of the bottom openings and comprises a chute (108) positioned beneath the container and above the grinder. Thus only beans of that container positioned with its bottom opening above the chute (s) may pass through the chute, (ref. figure 31). The outer housing of the container carousel is fixed and only the container carousel disposed inside the outer housing may be rotated around its central bore. This rotatable movement is necessary in order to position the container with the desired coffee beans above the chute of the outer housing. Below the chute is the grinding mill. The outer housing together with the chute form one unit referred to as the container carousel (100).

When the examiner refers to figure 25 in order to show, that Whitney also discloses a closure element and when noting, that the embodiment described in figure 25 is a different one as the one described in figure 30 -32 of this document, then the examiner combines features of two different prior art devices. Thus it is to be observed, that the device claimed indeed is novel in regard of both individual grinders referred to before disclosed in the Whitney-document as further discussed below. The claimed coffee grinder claimed differs from the one disclosed in figures 30 -32 of Whitney in that the bottom-side output shaft is common to all the compartments of the container and connected to them, thus being one common unit. Further, the embodiment described in figures 30 -32 of Whitney does not disclose a closure element for closing of an output of at least one compartment, and does not disclose that the closure element is part of the grinding mill, against which the coffee bean container is disposed rotatably to. Possibly the chute (108) of Whitney or the top opening of this respectively of the outer housing may be regarded as closure element. But this element is part of the coffee bean container and not part of

the grinding mill. Therefore the coffee grinder claimed is novel in view of this embodiment of Whitney.

In respect the embodiment described to figures 24 -27 of Whitney, to which the examiner refers in respect of the closure element (76 -79) it has to be noted, that the door assembly described in these figures of Whitney is a door assembly for one central opening. The door assembly is used for selective opening and closing of the passage through the grinder to help prevent moisture from entering into the coffee bean container. The door assembly is not effective for selecting the coffee beans of certain compartments of the coffee bean container. The embodiment described in figures 24 -27 does not have a coffee bean container with several individual compartments. Therefore the claimed coffee grinder is also novel in view of this embodiment of Whitney.

The device claimed is also not obvious in respect of Whitney and/or Schmidt. The closure element according to the coffee grinder claimed is used for selectively opening and closing a bottom opening of one of the compartments of the coffee bean container. Even if a person skilled in the art would combine the embodiment depicted in figures 30 -32 of Whitney and the one depicted in figures 24 -27 of Whitney this would not lead to the claimed coffee grinder. By using the door assembly of the embodiment of figures 24 -27 moisture entering into the compartments of the coffee bean container could be prevented. But this door assembly is not doing anything in respect of opening and/or closing selectively one of the bottom openings of the container.

The Whitney-device according to the embodiment depicted in figures 30 -32 as to be regarded as closest prior art shows several drawbacks: In order to turn the coffee bean container that is enclosed within the outer housing there needs to be a gear reaching through the outer housing to the outer surface. According to figure 30 an electric motor is used for this. Otherwise some kind of turnable device needs to reach out of the outer housing so a person wishing to turn the coffee bean container may be able to do so. Therefore the coffee bean container would need some kind of lever to be actuated by a person.

The chute is part of the outer housing and a closure element, possibly been made up of the bottom side of the outer housing is arranged above the chute. When a coffee bean container is rotated in order to have the bottom opening of another compartment be arranged on top of the chute, then the chute is still filled with beans of that compartment, which was arranged on top of the chute before. The cup of coffee or the pot of coffee then being brewed is possibly still a

coffee brewed from the beans of the compartment being positioned on this chute before. Therefore, after changing the selection of beans all those beans being in the chute have to be ground and brewed or be removed, before the new selection of coffee beans is effective.

Therefore it is an object of the invention claimed to provide a coffee grinder omitting these drawbacks. These drawbacks are omitted, with a coffee grinder according to the one claimed in independent claim 1 of this pending application. With this coffee grinder the closure element is part of the grinding mill and the coffee bean container is arranged rotatably in respect of the closure element. Therefore the coffee bean container does not need an outer housing and a rotation of the coffee bean container can be undertaken by turning the container itself. Because of the rather large diameter of the coffee bean container a person utilizing this coffee grinder has a long enough lever to easily turn the container and change the coffee bean selection even if coffee beans are within the closure element. Therefore there is no need to have any mechanical gear as this is necessary with the Whitney-device. Further, as the closure element is part of the grinding mill any receptacle bringing the coffee beans to the grinding mill can be designed short and with only very little volume. Thus only a very small amount of coffee beans of a first selection are within the grinding mill when the coffee bean compartment has been changed.

These features and the advantages of these features are not disclosed or obvious in respect to Whitney. Therefore it needed quite a lot of inventiveness to come to the grinding mill claimed, even when regarding Whitney as closest prior art. Neither may any hint be seen in Schmidt. This is simply due to the fact, that Schmidt does not disclose a grinding mill at all.

For your information: EPO has granted a patent with of the set of claims pending in this application. A copy of the European patent document is enclosed (EP 1 440 642 B1).

Applicant respectfully requests the Examiner to pass this application to allowance.

Respectfully submitted,



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